



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 12, 2016

BY ECF and E-MAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Jesse Rivera, et al., S3 15 Cr. 877 (PAE)*

Dear Judge Engelmayer:

A status conference in this case as to defendants Jesse Rivera, Edwin Leon, Juan Mendez, and Jeffrey Serrano is currently scheduled for Thursday, October 13, 2016, at 9:30 a.m. In preparation for that conference, I have spoken to counsel for each of these defendants. Two defendants recently have been appointed new counsel, who would like additional time to review discovery and familiarize themselves with the case, and I have been engaged in ongoing plea negotiations with counsel for several defendants. For these reasons, the parties respectfully request an adjournment of the status conference for approximately thirty days, at which time all parties will be in a better position to discuss trial dates and potential pretrial motions (including motions regarding severance and/or *Bruton* issues).¹ If the Court grants the adjournment, the Government respectfully requests that the Court exclude time in the interests of justice until the next conference date, so that the new counsel can review discovery and decide whether any motions should be made, and so that all parties can engage in plea negotiations. Counsel for defendants Rivera, Leon, Mendez and Serrano have consented to the requested exclusion of time.

Respectfully submitted,

PREET BHARARA
United States Attorney

by: _____


Thomas McKay
Assistant United States Attorney
(212) 637-2268

cc: Counsel of Record (by ECF and email)

¹ I understand that counsel for Jesse Rivera is not available on November 15, 23, 24 or 25.